THE GENERAL ADDRESS

OF THE

NATIVES OF BOMBAY

TO

SIR JOHN PETER GRANT, KNIGHT.

ON FRIDAY, THE 10TH SEPTEMBER, 1830.

The Commission-room of the late Messrs. Higgs and Briggs was selected to present the Address,—it is 120 feet in length and 30 feet in breadth, and a room of the same dimensions is underneath it. A table with 21 chairs on each side of it, was placed in the centre of the room, on an English carpet. In the middle of one side of the table a large arm-chair covered with crimson kincob thickly worked with gold was destined for Sir J. P. Grant. *Messrs. Jehangeer Nasserwanjee, Hormusjee Bomanjee Shet, Jejeebhoy Dadabhoy and Cursetjee Muncherjee*, the Committee of management, were in early attendance to receive the visitors, who began to assemble about twelve o'clock, and at one o'clock the rooms above and below were crowded to an excess, and the overflowing population, not less than 7 thousand, were under the necessity of remaining in the adjoining streets and on the ramparts. The approach of Sir J. P. Grant was announced about half past one o'clock,—the Committee attended at the door of the house, and received him on his alighting from his Carriage. They accompanied him up stairs and seated him on the chair appropriated to him. Jehangeer Nasserwanjee then seated himself in the chair immediately opposite to Sir J. P. Grant, and the other members of the Committee sat on each side of him, and the other Chairs were filled by distinguished Europeans and Natives of every religion,—by Advocates and Officers of the Court.

Before Jehangeer Nasserwanjee was placed a heavy roll of parchment enclosed in a bag of kincob, covered with gold. The bag being removed, Jehangeer Nasserwanjee took the roll into his hands and rose,—Sir J. P. Grant and the whole company followed his example; instantly a solemn silence prevailed,—when Jehangeer Nasserwanjee delivered the following speech,

SIR JOHN PETER GRANT,

I have the honor to present to you THE GENERAL ADDRESS of the Natives Bombay, on the occasion of your resignation of your office of Judge of The Supreme Court of Judicature at Bombay; and I assure you, from the bottom of my heart, that I am proud of having been selected to present to you an Address, that so strongly attests the opinions and sentiments of the Natives, of your judicial merits, and their deep affliction that you are no longer to be their Judge. The address contains the signatures of upwards of four thousand and five hundred persons;—and had we permitted persons to sign it who are unable to write their names, the signatures to the address would have been tripled;—the numbers you have seen within and without this room evince the universal approbation of your Judicial administration at Bombay;—I beg that Mr. Roper may be permitted to read the address.—

The General Address was then handed to Mr. Roper, an Advocate of the Supreme Court, who sat at one end of the table, and who read as follows,

To SIR JOHN PETER GRANT, KNIGHT, *one of His Majesty's Justices of the Supreme Court of Judicature of Bombay.*

HONORABLE SIR,

We the undersigned natives of India and inhabitants of the Island of Bombay, cannot permit you to separate from us, without communicating to you our sentiments of profound and indescribable sorrow at that event, and without acknowledging the heavy debt of gratitude that we and our families owe to you.

We know that the interests and happiness of His Majesty's subjects, natives of India, essentially depend upon the integrity and independence of His Majesty's Justices of the Supreme Courts of Judicature in India;—and we have seen with affliction and alarm, the disparagement and injury you have suffered, from your discharge of judicial duties, which, in your opinion, the law imposed upon you. We deeply feel that you suffer, from a conscientious execution of judicial duty, to protect the natives of India, beyond the limits of the Island of Bombay, from the dreadful calamity of false imprisonment, and from your disdaining to profess that protection, when, by superior force, you were unable to maintain it. Feeling as we do, we should abandon every pretension to public or private virtue,—we should be justly reproached with brutal insensibility or the vilest ingratitude, and we should subject ourselves to universal and everlasting condemnation, were we to refrain from publicly acknowledging the benefit you intended to the natives of India, by the coercive protection of the Supreme Court of Judicature at Bombay, and the numberless other benefits we have experienced from your wise, impartial and independent administration of justice, as one of the Judges of that Court.

We purposely refrain from offering to you the slightest commendation for your unceasing solicitude to preserve inviolate the various religions, manners, and usages of the natives of India. Independent of the enactments of the paramount authority of Parliament, and the solemn and positive directions in the Charter of Justice of our Gracious Sovereign Lord the King, your enlarged and liberal mind would have suggested to you, that our various religions, manners, and usages, however different they may be from your own, are essential to our happiness;—and it is with pleasure we declare, that all the Judges of the late Recordor's Court and of the present Supreme Court of Judicature at Bombay, have ever evinced, in the execution of the judgements, processes, and orders of those Courts, both within and without the Island of Bombay, a scrupulous anxiety to maintain and protect the natives of India in their respective religions, manners, and usages. The same character has long since been acquired by His Majesty's Judges at Calcutta and Madras. But the protection of the religions, manners, and usages of the natives of India, is not the sole and insulated object of Courts of Justice,—nor is that protection the duty of most frequent occurrence in those Courts. Courts of Justice are principally instituted for the security of life, of property, of character, and of personal liberty,—and in your efforts to secure to us those important objects, your conduct has obtained our approbation. You came among an immense and various population, with whom you never had any previous personal intercourse. You came among them with a heart expanded by philanthrophy,—with an understanding enriched by literature and philosophy, stored with the sound and inflexible doctrines of English jurisprudence, and imbued with legal, moral and sacred obligations. We have seen your patience, command of temper and unwearied assiduity to discover the truth in the midst of masses of contradictory evidence. Your judgements in matters of property have been satisfactory to us. The burglaries, highway robberies, thefts, forgeries, and perjuries, that existed to an alarming extent,—that exposed our persons and property to constant violence, and obstructed the course of justice, have been greatly diminished by your calm, temperate, and firm administration of criminal justice. But your great and eminent merit,—that which we and the natives throughout the territories under the Bombay Government, cannot sufficiently appreciate and acknowledge, has been your undaunted determination to protect all the natives residing in those territories from false imprisonment. You were conscious of the great and universal truth, that the permission of false imprisonment is destructive of human happiness,—you knew the tendency of false imprisonment to degrade character, and that the entire removal of every species of false imprisonment, is indispensible to the intellectual and moral improvement of individuals and of nations. On your judicial seat you had ample evidence of the insecurity of the natives, without the Island of Bombay, from false imprisonment;—and other instances of that injury had been proved in the Supreme Court before your arrival in India. We have seen your persevering, strenuous and undaunted exertions to subdue and extirpate that evil, with all its pernicious consequences. Death deprived you of the advice of your Associates on the Bench;—single and alone, you asserted the right of all the natives residing under this Presidency, to your judicial protection from that dreadful calamity,—you displayed the admirable force of moral and sacred obligations, and you yielded only to superior force. The result of your exertions to rescue those natives from false imprisonment and to maintain the power and dignity of the Supreme Court, has disappointed our expectations; and your Honor commanded you to resign your judicial Office. And for whom do you suffer? for persons with whom you had no connection, except from your philanthrophy, and your duty as a judge. Our affliction is severe that in such a cause you have been involved in misfortune.

We recollect also with delight the humane disposition you have ever shewn in attending to the petitions of the poor and the weak,—their easy access to you, and the facilities you have afforded them in obtaining justice.

You participated in the sentiments and opinions of our Friends and Benefactors, the late Sir EDWARD WEST and Sir CHARLES HARCOURT CHAMBERS,—like them, you knew no duty but the duty of executing your judicial functions impartially, fearlessly and independently, and without any respect for persons;—like them, you have acquired the confidence, esteem and affection of the natives,—like them, you have greatly contributed to attach the natives to the British Government, and have made an appellate jurisdiction to the Supreme Court from the judgements of the Provincial Courts, the sincere and ardent desire of all the natives who reside under this Presidency.

We are the witnesses of your character, and of the character of our lamented Patrons, the late Sir Edward West and Sir Charles Harcourt Chambers. We know that you and they have greatly contributed to rescue the natives from unmerited degradation,—have extensively promoted and secured their happiness;—have advanced their intellectual and moral improvement, and have fixed in their hearts an attachment to His Majesty's Court of Justice at Bombay. We shall ever deplore the premature deaths of those great and excellent Judges,—and your separation from us is equally afflicting to us. We are not influenced by ordinary sorrow. We see you disparaged and in misfortune, for the discharge of judicial functions, which, even if in error, were commanded by your judgement, and your conscience;—and we see in the obstruc-

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tion of your benevolent exertions, a lamentable and dreadful retardment of the moral, intellectual, and political improvement of the natives, which calmly and eventually would have been attained, by the strong coercive power of the Supreme Court, to prevent their false imprisonment.

We assure you that your virtues and those of Sir Edward West and Sir Charles Harcourt Chambers are engraven on our hearts, and that we shall carefully instill the knowledge of them into the minds of our children. You will ever have our fervent wishes for your happiness and prosperity, and we still entertain the hope that your present misfortune will be temporary, and that you will rise from it to superior Judicial Honor.—

We request you to do us the favor to sit for your full length Portrait, to be taken by an Artist,—which, we propose to solicit The Honorable the Chief Justice, to permit to be placed in the Supreme Court of Judicature at Bombay, that all the natives who see it, may have before them the Image of their Friend and Benefactor.—

We have the honor to be,
Honorable Sir,
With sentiments of profound respect,
esteem and affection,
Your most obedient and humble Servants,

(Signed by upwards of four Thousand and five hundred Respectable Native Inhabitants of Bombay,—of every religion.)

BOMBAY, 10TH SEP., 1830.

The General Address was read by Mr. Roper with peculiar propriety,—it was listened to with anxious attention,—and each sentiment in it vibrated on the hearts of the auditors.

Sir J. P. Grant addressing himself to Jehangeer Nasserwanjee and the assembled natives, then spoke as follows.

GENTLEMEN,

There are occasions when those the most accustomed to deliver themselves in public, must feel the same embarrasment and anxiety which attended their first attempts to address a large assembly.

I am not afraid of being thought guilty of affectation when I confess, that the present is one of those occasions with me.

When I see this great assembly congregated for the sole purpose of doing me honour,—when I reflect who they are that compose it,—when I observe the immense number of the names affixed to this address, amounting I am told to 4,500,—each subscribed at length in their accustomed character, by those who have signed it—names well known here as comprising the great body of that respectable class of persons who by their honest and profitable industry contribute more than any other to the publick prosperity, and have been well said to form the strength of every nation,—those who in the middle rank of life, removed equally from poverty and from dissipation, are the coolest and the best Judges of those things which affect their happiness and their security, and whose various transactions, and the various characters of those with whom they are obliged to deal, force them into a greater acquaintance with the proceedings of Courts of Law, and a more anxious watchfulness of the conduct of the Judges, and the Maxims and decisions of the Courts, than any other class of the Community;—When I observe the pains that have been taken to make it apparent that this Address expresses the genuine and well understood sentiments of all who have signed it, by its being drawn up in each of the Native languages most familiarly read and spoken by the respective subscribers, as well as in English,—when I consider the subjects you have chosen in the Address, as those which are the grounds of the kind feelings you express, and the greatly too flattering praises you bestow,—when I reflect that this is done upon the occasion of my being about to take a final leave of you,—I think it will not be deemed surprising that I should be entirely at a loss where to begin in offering you my acknowledgements, or where to find expressions suitable to convey even a faint intimation of the effect this Address and this Scene have produced upon me.

You have said that in arriving in India, I came amongst an immense and various population with whom I had no previous personal acquaintance;—I fear I must add, what not the vast number of my countrymen who share my situation in this respect cannot prevent me from blushing, when I add,—I came amongst you with very little of that sort of acquaintance which may be acquired of the inhabitants of most countries, even without personal intercourse.

In regard to the Inhabitants of India, the obtaining correct information of their manners and condition, is extremely difficult in England,—if at all possible. But I take great shame to myself, that when publick affairs occupied so much of my attention as they did for several years of my life, the circumstances of this interesting country were not more frequently the object of my inquiry.

If however I came among you with little knowledge of you, I had no prejudices to hamper and embarrass me.

I had seen and read too much of mankind not to know, that man is every where, in every climate and in every age, essentially the same,—varied only by the circumstances he is placed in,—changing as they change, and conforming himself to every variety of situation with an aptitude and ease which are as remarkable in Nations as in Individuals.

I had learnt also that much of what appears at first sight to distinguish the most strongly different races of men and different nations from each other, are matters merely upon the surface, and that if you penetrate these you will find beneath, in what is essential to the moral character, marks of resemblance so strong and universal as to render it almost the same. I did not expect to find, nor did I think it possible, I should find the Inhabitants of India different from the rest of mankind in these respects.

I expected to find in them great gentleness of disposition and remarkably engaging manners.—In this expectation I have not been deceived. But I have found much more to distinguish them, as a most valuable people.

Of the Inhabitants of the Interior it is true I can speak only from report, and from the specimens of them I have seen here, since I have not had time or opportunity to visit them,—and the time I have spent with you has been so short, that I am perfectly aware there is much that has escaped my observation. But during that time I have had probably a better opportunity of forming a judgement of your character than most other situations afford in which an Englishman can be placed, -and though many of your good qualities may have escaped my observation, this at least I can undertake to say, that in no society of equal extent, and composed of persons engaged in the useful occupations of commerce, is there more intelligence, more sobriety, a greater disposition to return kindness and protection on the part of those who govern, by a ready and chearfull obedience,—a greater disposition to cultivate the good will and contribute to the comfort of their fellow subjects, than you display towards the English residents among you,—more readiness to acquire the arts and adopt the improvements which have grown up in England,—a greater love of justice,—or a more right estimate,—of the value of the laws of England,—of an impartial and rigid administration of them.—

Gentlemen,—in the share which I have had in their administration, it has been my duty to consult only my own conscience, my own understanding, and what knowledge of the laws and of the principles which govern and are common to all systems of law,—the consideration of now a good many years bestowed upon these subjects, may have enabled me to acquire. It has been my duty entirely to disregard the applause or the censure whether of persons in power or of the people, except as the approbation of all good men must in the end be acquired by judicial honesty, even though exposed to occasional errors. But now that these duties are drawings to a close, it cannot but be satisfactory to me in the highest degree, to know, that those who have been the nearest witnesses of my conduct, and the most affected by it, bear testimoney to its having been attended with those effects which it has been my sacred duty and my ardent wish to produce.

I know well that the kindness of your dispositions,—the belief which I think you entertain of my anxious desire to promote your happiness,—my approaching departure, under circumstances which you consider as attended with some personal hardship, all contribute to make you regard my past services with a degree of favour, which greatly exaggerates their merits. But stripping what you say of much which must be attributed entirely, to your partiality, enough remains to give me the agreeable assurance, that I have not altogether failed in what I have had most at heart.

I think Gentlemen your testimony to day is sufficient to prove the following propositions;—1st. In matters of succession and inheritance, and in your dealings and contracts with each other, your native laws and usages have been specially preserved to you by Parliament. It was a wise and judicious enactment, in order to prevent doubts, but I think it is only declaratory of what flows from the rules and maxims of the common law of England, which enjoins a scrupulous respect for all ancient usages in every country governed by the King of England, which are not repugnant to natural equity and good morals.—I think your testimony is sufficient to prove that the native laws of the Inhabitants of India may be administered, and their ancient usages enforced, by the forms and the processes of an English Court, without offending their manners or endangering the security of those laws and usages or of the rights they derive from them.

2d. In criminal matters the law of England is the only law administered among you. I think your testimony proves, that in one of the most numerous societies of the most mixed population of the natives of India, the criminal law of England strictly administered, without any deviation from the spirit of liberty and of caution which runs through every part of it,—in particular its anxious care to prevent undue imprisonment, and the barbarous practice prevalent in many, I fear, in most other Countries, of leading or even suffering those who are accused, to make unwary declarations, which may hamper them in their defence, is sufficient to insure the preservation of the peace and the security of the persons and properties of the Inhabitants.

3rd. I think your testimony proves, that a Supreme English Court, composed of English Judges with English forms of proceeding, may exercise the same general controul, in virtue of its character of Guardian of the manners and rights of the Community, of the most mixed population of the natives of India, by means of the same extraordinary jurisdiction, to repress injuries and put a stop to wrongs, that require immediate remedy by an instantaneous and paramount interposition of authority, as is exercised by the Supreme Criminal Court of England, without danger of offending the slightest prejudice,—much less of outraging any religious or customary observance, or any of the usual habits of domestick life.

Lastly. I think that your testimony proves, that those labour under a great mistake who suppose that an English administration of justice, by those who have made the English laws their study, is naturally distasteful to Natives of India. You have expressly declared in this Address and your conduct and that of all the Inhabitants of this Island proves;—I will add, partly from my personal knowledge, but more generally from the information of my native friends here,—the declarations and conduct of all the Native Inhabitants of the Interior who have occasion to resort here prove,—that an administration of Justice upon the principles of English Law, of which, be it remembered, a respect for ancient usages and customs is one of the most remarkable, is so far from having a tendency to alarm or to alienate the native inhabitants of India, that it is the certain means of gaining their confidence and their affections.

Gentlemen, It is particularly grateful to me that in the commendations you have so kindly and so honourably bestowed upon me, you have still more kindly and honourably associated my name with those of my most lamented and most valued friends,—my late able and learned brethern Sir Edward West and Sir Charles Harcourt Chambers. No men ever felt greater kindness than they did for the native Inhabitants of Bombay in their individual capacity,—or a more firm determination to protect their rights, in their Judicial. It is a great consolation to me that in the person of my present associate upon the Bench, the present Chief Justice, I leave your rights and interests in the charge of one whose high sense of honor, and anxiety to fulfil the grave and important duties which have devolved upon him will be found, I am well persuaded, to entitle him to your entire confidence. This I know—that next to the approbation of his own conscience, there is nothing he more ardently desires.

For myself I part from you with the most sincere regret.

This is not a fit occasion for entering into an explanation of the circumstances which have led to my retirement, further than to say, that if I had kept my health, nothing would have induced me to quit my Judicial duties during the period usually assigned to them in India, unless I had received the Commands which His Majesty by his Prerogative was entitled in His Royal Discretion to issue for my removal,—if I had not been entirely satisfied, on a careful consideration, that I could not continue to discharge them in the circumstances I am placed in, with satisfaction to my conscience, with a due regard to my personal honour, with any hope of advancing,—His Majesty's service, or any prospect of benefit to this Community.

It remains only for me to notice the request with which you have thought fit to honour me, that I should sit for my picture. Though very sensible of the small value of that which you desire to have, it is a request much too flattering to me to allow of my declining to comply with it, nor could I envy the tone of any man's feelings, who could undervalue such a mark of regard from so large and so intelligent a community.

I am to set sail from Bombay in a very few days; so that it is impossible that the picture should be taken here—but if you still desire this memorial of me I shall have great pleasure in having it taken at Calcutta, from whence it can be transmitted here.

Once more allow me to express the regret with which I leave you.

In whatever part of the world I may be, I shall never forget the Native Community of Bombay, I shall ever entertain the greatest sense of your personal kindness to me; of your just appreciation of the rectitude of my intentions and of the support your firmness and love of Justice afforded me on a very trying occasion.

I shall never cease to take the deepest interest in your welfare, or to wish most fervently for your happiness and prosperity.—

Sir J. P. Grant was greatly affected when delivering his answer to the Address,—particularly at the beginning of it,—and it evidently made a deep and most gratifying impression.

We were delighed at observing the benign influence of the religious toleration that prevails in India. In the same apartment were collected in united amity and affection, Christians, Hindoos, Parsees, Mahometans and Jews—they seemed to be conscious, that in the regular administration of justice, all had an equal interest.

The unfolding of the Roll containing the General Address, and the appearance of it when exposed to the eye, were highly interesting;—the evolution of the many linked pieces of parchment exhibited it 65 feet in length and 2 feet in breadth,—the whole sewn together and hemmed with beautiful Green Ribband; the name of each subscriber and his religion, were distinctly written, and the heading of it was in letters of gold.

We are happy to add that the whole proceeding was conducted in the most unexceptionable manner; and by half past 2 o'clock the assembled multitude had left the rooms, the streets and ramparts in the vicinity.

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